

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STEPHEN KENNEDY,

No. 08-12504

Plaintiff,

District Judge Anna Diggs Taylor

v.

Magistrate Judge R. Steven Whalen

FIRST NLC SERVICES, LLC,  
ET.AL.,

Defendants.

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**ORDER**

Before the Court is Plaintiff's self-styled "Motion to Remove to Federal Court Due to Lack of Jurisdiction" [Docket #7]. He asks that the case be "removed" to the "United States Federal Court Western Division." In this motion, Plaintiff also appears to claim a lack of subject matter jurisdiction. If that were the case, however, the complaint would be subject to dismissal under Fed.R.Civ.P. 12(b)(1).

Plaintiff is, of course, is not represented by counsel. Therefore, his pleadings and arguments will not be held to the standard of a practicing attorney, but will be given a liberal construction. *See Martin v. Overton*, 391 F.3d 710, 712 (6<sup>th</sup> Cir. 2004), citing *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); *Herron v. Harrison*, 203 F.3d 410, 414 (6<sup>th</sup> Cir. 2000) (*pro se* pleadings are held to "an especially liberal standard"); Fed.R.Civ.P. 8(f) ("All pleadings shall be so construed as to do substantial justice"). I will therefore construe this as a venue motion requesting that the case be transferred to the Western District of Michigan.

However, Plaintiff has not alleged any basis, under 28 U.S.C. § 1391 or any other statute, to claim that venue properly lies in the Western District of Michigan.

Accordingly, the Plaintiff's motion [Docket #7] is DENIED.

SO ORDERED.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: February 25, 2009

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on February 25, 2009.

S/G. Wilson  
Judicial Assistant